



House of Representatives

General Assembly

File No. 167

January Session, 2005

House Bill No. 5450

House of Representatives, April 5, 2005

The Committee on Transportation reported through REP. GUERRERA of the 29th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING THE WEARING OF SEAT BELTS BY BACK SEAT PASSENGERS IN A MOTOR VEHICLE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (c) of section 14-100a of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2005*):

4 (c) (1) The operator of and [any front seat] each passenger in a motor
5 vehicle with a gross vehicle weight rating not exceeding ten thousand
6 pounds or fire fighting apparatus originally equipped with seat safety
7 belts complying with the provisions of the Code of Federal
8 Regulations, Title 49, Section 571.209, as amended from time to time,
9 shall wear such seat safety belt while the vehicle is being operated on
10 the highways of this state, except that a child under the age of four
11 years shall be restrained as provided in subsection (d) of this section.
12 Each operator of such vehicle shall secure or cause to be secured in a
13 seat safety belt any passenger four years of age or older and under

14 sixteen years of age.

15 (2) The provisions of subdivision (1) of this subsection shall not
16 apply to (A) any person whose physical disability or impairment
17 would prevent restraint in such safety belt, provided such person
18 obtains a written statement from a licensed physician containing
19 reasons for such person's inability to wear such safety belt and
20 including information concerning the nature and extent of such
21 condition. Such person shall carry the statement on his or her person
22 or in the motor vehicle at all times when it is being operated, or (B) an
23 authorized emergency vehicle, other than fire fighting apparatus,
24 responding to an emergency call or a motor vehicle operated by a rural
25 letter carrier of the United States postal service while performing his or
26 her official duties or by a person engaged in the delivery of
27 newspapers.

28 (3) Failure to wear a seat safety belt shall not be considered as
29 contributory negligence nor shall such failure be admissible evidence
30 in any civil action.

31 (4) On and after February 1, 1986, any person who violates the
32 provisions of this subsection shall have committed an infraction and
33 shall be fined fifteen dollars. Points may not be assessed against the
34 operator's license of any person convicted of such violation.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	October 1, 2005	14-100a(c)
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TRA *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 06 \$	FY 07 \$
Department of Motor Vehicles	TF - None	None	None
Judicial Dept.	GF - Revenue Gain	Less than \$100,000	Less than \$100,000
Various Criminal Justice Agencies	GF - None	None	None

Note: TF=Transportation Fund; GF=General Fund

Municipal Impact: None

Explanation

There is no fiscal impact to the Department of Motor Vehicles as a result of the bill expanding the requirement that all occupants of passenger motor vehicles, not just the operator and front passengers, wear seatbelts.

It is anticipated that the new infraction would generate less than \$100,000 in state revenues annually. Enforcement could be accommodated by various criminal justice agencies within budgeted resources.

OLR Bill Analysis

HB 5450

AN ACT CONCERNING THE WEARING OF SEAT BELTS BY BACK SEAT PASSENGERS IN A MOTOR VEHICLE**SUMMARY:**

This bill expands the mandatory seat belt use law to cover all occupants of motor vehicles with weight ratings of up to 10,000 pounds and firefighting apparatus. Currently, the driver, all front seat occupants, regardless of their age, and any children age four through age 15 must be secured in a seat safety belt while such vehicles are being operated on a highway, if the vehicles were originally equipped with safety belts as required under federal regulations. The driver is responsible for assuring that children between age four and 15 are properly secured. Seat belt violations are infractions with a fine of \$15.

Under current law and the bill, vehicle occupants exempt from the seat belt requirements include (1) anyone with a physical disability or impairment that prevents restraint in a safety belt, provided this is certified by a physician and the person carries the physician's statement with him; (2) occupants of authorized emergency vehicles, other than firefighting apparatus, when responding to an emergency call; (3) rural letter carriers of the U.S. Postal Service while performing their duties; and (4) people engaged in delivering newspapers.

Children under age four are covered by another provision of the law that requires them to be secured in either a child restraint system or a seat safety belt, depending on their weight.

EFFECTIVE DATE: October 1, 2005

BACKGROUND***Related Bill***

sHB 6660 (File 27) expands the child restraint requirements to cover all children under age seven or who weigh less than 60 pounds, regardless of age. It also requires any child under age one or weighing less than 20 pounds to be transported in a rear-facing position in his

child restraint system and makes related changes.

COMMITTEE ACTION

Transportation Committee

Joint Favorable Report

Yea 25 Nay 3